IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 141 OF 2006

Shri Prashant Bapu Bansode & Ors. ...Applicants
V/s.
The State of Maharashtra. ...Respondent

Mr.Milind Deshmukh for the Applicants.
Mr.R.Y. Mirza, APP for the State.

CORAM : V.M. KANADE, J.

DATED : FEBRUARY 8, 2006

P.C. :-

. Heard learned Counsel for the applicants and learned APP for the State.

. The applicants were arrested in connection with an offence under Section 302 of the IPC. Apart from seeking bail on other grounds, one of the contentions of the applicants is that the trial Court had adjourned the case sine die since the muddemal property was not produced. I had asked learned APP to take instructions from the Investigating Officer. Learned APP has submitted that he has taken instructions and as per his instructions, the matter has been posted for further hearing on 16th February, 2006 and prior to that, the

matter was on board in the last month. He submitted that the statement learned Counsel for the applicants is not correct and the trial has already commenced. In my view that appears to be the correct position as is evident from the order which is passed by the trial Court in which there is a reference that the trial against the applicants has commenced. Therefore, the application filed for bail by the applicants cannot be entertained at this stage as the trial is likely to be over within a short period of time.

2. The application is, therefore, rejected. The hearing of the trial is expedited.

(V.M. KANANDE, J.)